

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUSTIN J. ALLEE,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

CASE NO. 8:00CR83

ORDER

This matter is before the court on defendant's Motion for Reconsideration of Filing No. 311, this court's denial of defendant's Request for a Certificate of Appealability. (Filing No. 314).

Because the court denied defendant's Request for a Certificate of Appealability, defendant's case is now being considered by the Eighth Circuit Court of Appeals. Therefore, this court is divested of jurisdiction to alter the Judgment and defendant's motion is denied.

IT IS ORDERED:

1. That defendant's Motion for Reconsideration (Filing No. 314) is denied;
2. The clerk of court is directed to send a copy of this Memorandum and Order to defendant at his last-known address.

DATED this 22nd day of March, 2007.

BY THE COURT:

s/Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge